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State responsibility

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Part One ...

Chapter I. General principles

Article 1

Responsibility of a State for its internationally wrongful acts

Every internationally wrongful act of a State entails the international responsibility of that State.

[Article 2]

[Possibility that every State may be held to have committed an internationally wrongful act]

[deleted]

Article 2 [3]*

Elements of an internationally wrongful act of a State

There is an internationally wrongful act of a State when conduct consisting of an action or omission:

(a) Is attributable to the State under international law; and

(b) Constitutes a breach of an international obligation of the State.

* The number that appears within square brackets is the number of the corresponding article adopted on first reading.

Article 3 [4]

Characterization of an act of a State as internationally wrongful

The characterization of an act of a State as internationally wrongful is governed by international law. Such characterization is not affected by the characterization of the same act as lawful by internal law.